

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DAVID WHITNEY,

Plaintiff,

v.

JP MORGAN CHASE AS SUCCESSOR  
IN INTEREST TO WASHINGTON  
MUTUAL, ET AL.,

Defendants.

Case No.: C 10-00713 PVT


**ORDER SETTING DEADLINE FOR PARTIES  
TO FILE EITHER A “CONSENT TO  
PROCEED BEFORE A UNITED STATES  
MAGISTRATE JUDGE,” OR ELSE A  
“DECLINATION TO PROCEED BEFORE A  
UNITED STATES MAGISTRATE JUDGE AND  
REQUEST FOR REASSIGNMENT”**

On April 2, 2010, defendant JP Morgan Chase Bank, N.A., an acquirer of certain assets and liabilities of Washington Mutual Bank, moved to dismiss pursuant to Rule 12(b)(6). This case has been assigned to a Magistrate Judge. Before the court takes any action on the motion to dismiss, the court must determine whether or not all of the parties who have appeared consent to Magistrate Judge jurisdiction, or whether any of the parties request reassignment to a District Judge. Therefore,

IT IS HEREBY ORDERED that no later than April 16, 2010, each party who has not already done so shall file either a “Consent to Proceed Before a United States Magistrate Judge,” or else a “Declination to Proceed Before a United States Magistrate Judge and Request for Reassignment.” Both forms are available from the clerk of the court, or from the Forms (Civil) section of the court’s

1 website at [www.cand.uscourts.gov](http://www.cand.uscourts.gov).

2 Dated: April 5, 2010

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4 PATRICIA V. TRUMBULL  
5 United States Magistrate Judge  
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